

Decision (ROD) will be completed no sooner than 30 days after the final EIS is released, in accordance with 40 CFR 1506.11.

**Scoping Process:** This Notice of Intent (NOI) commences the public scoping process for identifying additional issues and potential alternatives to modify the Plan to reduce mortalities and serious injuries of large whales in U.S. commercial fisheries to below PBR. Throughout the scoping process, Federal agencies, state, tribal, local governments, and the general public have the opportunity to help NMFS determine reasonable alternatives and potential measures to be analyzed in the EIS, as well as to provide additional information.

Everyone potentially impacted by or interested in changes to the Plan, and particularly in changes to management of commercial trap/pot and gillnet fisheries along the East Coast, is invited to participate in the public scoping process by submitting written input via email or by giving oral input at the scoping meeting. This scoping process aims to gather input on the gillnet and trap/pot fisheries regarding the scope of actions to be proposed for rulemaking, the development of alternatives to analyze in the EIS, and the potential impacts of management actions.

Information received through this scoping process will inform the development of alternative risk reduction measures for an environmental impact analysis on modifications to the Plan. Only inputs and suggestions that are within the scope of the proposed actions will be considered when developing the alternatives for analysis in the EIS. This includes items related to reducing risk of mortality and serious injury of large whales due to entanglements in commercial U.S. fishing gear and improving gear marking to reduce uncertainty about where entanglements occur. The purpose is to develop measures to fulfill the requirements of Section 118 of the MMPA, which regulates the taking of marine mammals incidental to U.S. commercial fishing operations. NMFS implements additional endangered species conservation and recovery programs under the ESA and also affords marine mammals protections under multiple programs pursuant to the MMPA. Therefore, for the purposes of the scoping period for the proposed action discussed in this notice, we are not requesting input related to other stressors, such as vessel strikes, anthropogenic noise, natural mortality, international entanglement risk,

offshore wind development, or climate change.

To promote informed decision-making, input should be as specific as possible and should provide as much detail as necessary to allow a commenter's meaningful participation and fully inform NMFS of the commenter's position. Input should explain why the issues raised are important to the consideration of potential environmental impacts and alternatives to the proposed action, as well as economic and other impacts affecting the quality of the human environment.

It is important that reviewers provide their input at such times and in such a manner that they are useful to the agency's preparation of the EIS. Comments should be provided prior to the close of the scoping period and should clearly articulate the reviewer's concerns and contentions. Input received in response to this solicitation, including names and addresses of those who comment, will be part of the public record for this proposed action discussed in this notice. Input submitted anonymously will be accepted and considered.

#### References

- Linden, D.W. and Pace III, R.M. 2021. A multi-state mark-recapture-recovery model to estimate rates of severe injury and cause-specific mortality in North Atlantic right whales. North Atlantic Right Whale Consortium Annual Meeting, October 26–27, 2021.
- Hayes, S.A., Josephson, E., Maze-Foley, K., Rosel, P.E., & Turek, J. (2021). U.S. Atlantic and Gulf of Mexico Marine Mammal Stock Assessments 2020 (p. 403). Northeast Fisheries Science Center.
- NMFS. 2021. U.S. Atlantic and Gulf of Mexico Marine Mammal Stock Assessments 2021 <https://media.fisheries.noaa.gov/2022-08/NOAA-TM-AFSC-441.pdf>
- Pace III, R.M. May 2021. Revisions and Further Evaluations of the Right Whale Abundance Model: Improvements for Hypothesis Testing. NOAA NEFSC Tech Memo 269.
- Pace, R.M., R. Williams, S.D. Kraus, A.R. Knowlton, H.M. Pettis. 2021. Cryptic mortality in North Atlantic right whales. *Conserv. Sci. Pract.* 3:e346
- Pace, R.M., III, P.J. Corkeron and S.D. Kraus. 2017. State-space mark-recapture estimates reveal a recent decline in abundance of North Atlantic right whales. *Ecol. and Evol.* 7:8730–8741.
- Pettis, H.M., Pace, R.M. III, Hamilton, P.K. 2022. North Atlantic Right Whale Consortium 2021 Annual Report Card. Report to the North Atlantic Right Whale Consortium.

**Authority:** 42 U.S.C. 4321 et seq.; 31 U.S.C 1361 et seq.

Dated: September 1, 2022.

**Catherine G. Marzin,**

*Deputy Director, Office of Protected Resources, National Marine Fisheries Service.*

[FR Doc. 2022–19335 Filed 9–8–22; 8:45 am]

**BILLING CODE 3510–22–P**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[RTID 0648–XC342]

#### Taking and Importing Marine Mammals; Taking Marine Mammals Incidental to the Empire Wind Project Offshore of New York

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Notice; receipt of application for regulations and Letter of Authorization; request for comments and information.

**SUMMARY:** NMFS has received a petition from Empire Offshore Wind LLC (Empire), a 50–50 partnership between Equinor and BP, requesting authorization to take small numbers of marine mammals incidental to activities associated with the Empire Wind Project in a designated lease area on the Outer Continental Shelf (OSC–A 0512) offshore of New York state over the course of 5 years beginning in 2024. Equinor will be the operator through the development, construction, and operations phase of the project. Pursuant to regulations implementing the Marine Mammal Protection Act (MMPA), NMFS is announcing receipt of Empire's request for the development and implementation of regulations governing the incidental taking of marine mammals and issuance of a Letter of Authorization (LOA). NMFS invites the public to provide information, suggestions, and comments on Empire's application and request.

**DATES:** Comments and information must be received no later than October 11, 2022.

**ADDRESSES:** Comments on the application should be addressed to Jolie Harrison, Chief, Permits and Conservation Division, Office of Protected Resources, National Marine Fisheries Service and should be sent to [ITP.Pauline@noaa.gov](mailto:ITP.Pauline@noaa.gov).

**Instructions:** NMFS is not responsible for comments sent by any other method, to any other address or individual, or received after the end of the comment period. Comments received electronically, including all

attachments, must not exceed a 25-megabyte file size. Attachments to electronic comments will be accepted in Microsoft Word or Excel or Adobe PDF file formats only. All comments received are a part of the public record and will generally be posted online at <https://www.fisheries.noaa.gov/national/marine-mammal-protection/incidental-take-authorizations-other-energy-activities-renewable> without change. All personal identifying information (e.g., name, address) voluntarily submitted by the commenter may be publicly accessible. Do not submit confidential business information or otherwise sensitive or protected information.

**FOR FURTHER INFORMATION CONTACT:**

Robert Pauline, Office of Protected Resources, NMFS, (301) 427-8401. An electronic copy of Empire's application may be obtained online at: <https://www.fisheries.noaa.gov/national/marine-mammal-protection/incidental-take-authorizations-other-energy-activities-renewable>. In case of problems accessing these documents, please email the contact listed above.

**SUPPLEMENTARY INFORMATION:**

**Background**

Sections 101(a)(5)(A) and (D) of the MMPA (16 U.S.C. 1361 *et seq.*) direct the Secretary of Commerce (as delegated to NMFS) to allow, upon request, the incidental, but not intentional, taking of small numbers of marine mammals by U.S. citizens who engage in a specified activity (other than commercial fishing) within a specified geographical region if certain findings are made and either regulations are issued or, if the taking is limited to harassment, a notice of a proposed authorization is provided to the public for review. For requests under section 101(A)(5)(A) of the MMPA, NMFS is also required to begin the public review process by publishing a notice of receipt of a request for the implementation of regulations governing the incidental taking (50 CFR 216.104(b)(1)(ii)).

An incidental take authorization shall be granted if NMFS finds that the taking will have a negligible impact on the species or stock(s), will not have an unmitigable adverse impact on the availability of the species or stock(s) for subsistence uses (where relevant), and if the permissible methods of taking and requirements pertaining to the mitigation, monitoring and reporting of such takings are set forth.

NMFS has defined "negligible impact" in 50 CFR 216.103 as an impact resulting from the specified activity that cannot be reasonably expected to, and is

not reasonably likely to, adversely affect the species or stock through effects on annual rates of recruitment or survival.

The MMPA states that the term "take" means to harass, hunt, capture, kill or attempt to harass, hunt, capture, or kill any marine mammal.

Except with respect to certain activities not pertinent here, the MMPA defines "harassment" as: any act of pursuit, torment, or annoyance, which (i) has the potential to injure a marine mammal or marine mammal stock in the wild (Level A harassment); or (ii) has the potential to disturb a marine mammal or marine mammal stock in the wild by causing disruption of behavioral patterns, including, but not limited to, migration, breathing, nursing, breeding, feeding, or sheltering (Level B harassment).

**Summary of Request**

On December 7, 2021, NMFS received an application from Empire requesting authorization to take, by Level A harassment and Level B harassment, 16 species of marine mammals incidental to activities associated with the development of the Empire Wind Project offshore of New York in Commercial Lease (OCS-A-0512). In response to our comments, and following extensive information exchange with NMFS, Empire submitted a final, revised application on July 28, 2022, that we determined was adequate and complete on August 11, 2022. Empire requests the regulations and subsequent LOA be valid for 5 years beginning in 2024.

Empire is proposing to develop the Empire Wind Project in two adjacent locations, Empire Wind 1 (EW 1) and Empire Wind 2 (EW 2), that are electrically isolated and independent from each other and will each be connected to their own points of interconnection via individual submarine export cable routes. There will be a maximum of 147 wind turbine generators (WTGs) supported by monopile foundations and two offshore substation (OSS) piled jacket foundations supported with 12 pin piles each within the Lease Area. EW 1 would consist of up to 57 WTG, and one OSS while EW 2 would consist of up to 90 WTGs and one OSS. EW 1 would require up to 116 nautical miles (nm) (214 kilometers (km)) of interarray cable and 40 nm (74 km) of submarine export cable with a cable landfall at South Brooklyn Marine Terminal (SBMT). EW 2 would consist of up to 144 nm (267 km) of interarray cable and up to 26 nm (48 km) of submarine export cable with two out of four proposed cable landfalls in Long Beach or Lido Beach, New York.

Empire's Lease Area OCS-A-0512 is located approximately 12 nm (22 km) south of Long Island, New York, and 16.9 nm (31.4 km) east of Long Branch, New Jersey.

Empire considered the following activities associated with development of the wind farm in its application: installation of WTGs and OSSs using impact driving; vibratory pile driving to install and remove temporary cofferdams to support horizontal directional drilling (HDD) at the export cable landfalls of the submarine export cables; goal post installation by impact hammer to assist with the installation of casing pipes for cable landfalls; and high-resolution geophysical (HRG) equipment during survey activities in support of the Project. Empire has determined that these activities may result in the taking, by Level A harassment and/or Level B harassment, of marine mammals. Therefore, Empire requests authorization to incidentally take marine mammals.

**Specified Activities**

In Executive Order 14008, President Biden stated that it is the policy of the United States to organize and deploy the full capacity of its agencies to combat the climate crisis to implement a Government-wide approach that reduces climate pollution in every sector of the economy; increases resilience to the impacts of climate change; protects public health; conserves our lands, waters, and biodiversity; delivers environmental justice; and spurs well-paying union jobs and economic growth, especially through innovation, commercialization, and deployment of clean energy technologies and infrastructure.

Through a competitive leasing process under 30 CFR 585.211, Empire Wind was awarded Commercial Lease OCS-A-0512 offshore of New York and the exclusive right to submit a construction and operations plan (COP) for activities within the lease area. Empire submitted a COP to the Bureau of Ocean Energy Management (BOEM) proposing the construction, operation, maintenance, and conceptual decommissioning of the Empire Wind project within Lease Area OCS-A 04512.

Empire has provided a complete description of the specified activities and their proposed mitigation, monitoring and reporting measures in their application. They have also included a description of estimated take methods and results. Empire anticipates the following activities may potentially result in harassment of marine mammals:

- up to 147 WTG monopile foundations which would not exceed 11-meters (m) in diameter would be installed using impact hammers with energy level not to exceed 5,225 kiloJoules (kJ). Impact driving would not occur from January 1 through April 30 over the course of 2 years. In addition, impact pile driving would not occur from December 1 through December 31, unless unanticipated delays due to weather or technical problems arise that necessitate extending pile driving into December;

- two OSS jacket foundations with up to 12 2.5 m (8.2 ft)-diameter pin piles would be installed over 2 years using impact hammers with energy levels not to exceed 3,200 kJ. Impact driving of pin piles would be subject to the same work window restrictions as the WTG monopile foundations;

- installation and removal of up to 5 temporary cofferdams or 6–10 goal posts would occur over 2 years via vibratory driving at the exit points of the long-distance horizontal directional drilling (HDD) at each export cable landfall. Up to 60 sheet piles would be required per cofferdam and installation and removal of each cofferdam would require 6 days;

- using HRG equipment to survey approximately 103,475 (km) over 5 years (177.792 km/day × 582 vessel days between 2024–2028).

Empire has indicated that these are the most accurate estimates for the durations of each planned activity, but that the schedule may shift over the course of the Project due to weather, mechanical, or other related delays.

#### Information Solicited

Interested persons may submit information, suggestions, and comments concerning Empire's request (see **ADDRESSES**). NMFS will consider all information, suggestions, and comments related to the request during the development of proposed regulations governing the incidental taking of marine mammals by Empire, if appropriate.

Dated: September 6, 2022.

#### Catherine Marzin,

*Deputy Director, Office of Protected Resources, National Marine Fisheries Service.*

[FR Doc. 2022–19514 Filed 9–8–22; 8:45 am]

**BILLING CODE 3510–22–P**

### COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED

#### Procurement List; Proposed Deletions

**AGENCY:** Committee for Purchase From People Who Are Blind or Severely Disabled.

**ACTION:** Proposed deletions from the Procurement List.

**SUMMARY:** The Committee is proposing to delete product(s) and service(s) from the Procurement List that were furnished by nonprofit agencies employing persons who are blind or have other severe disabilities.

**DATES:** *Comments must be received on or before:* October 9, 2022.

**ADDRESSES:** Committee for Purchase From People Who Are Blind or Severely Disabled, 355 E Street SW, Washington, DC 20024.

**FOR FURTHER INFORMATION CONTACT:** For further information or to submit comments contact: Michael R. Jurkowski, Telephone: (703) 785–6404, or email [CMTEFedReg@AbilityOne.gov](mailto:CMTEFedReg@AbilityOne.gov).

**SUPPLEMENTARY INFORMATION:** This notice is published pursuant to 41 U.S.C. 8503(a)(2) and 41 CFR 51–2.3. Its purpose is to provide interested persons an opportunity to submit comments on the proposed actions.

#### Deletions

The following product(s) and service(s) are proposed for deletion from the Procurement List:

##### Product(s)

NSN(s)—Product Name(s): 5330–00–599–4230—Gasket

NSN(s)—Product Name(s): 2590–00–299–0739—Valve, Poppet, Hull Drain

*Designated Source of Supply:* Goodwill Industries—Knoxville, Inc., Knoxville, TN

*Contracting Activity:* DLA LAND AND MARITIME, COLUMBUS, OH

##### Service(s)

*Service Type:* Custodial service

*Mandatory for:* FAA, Multiple Locations, 3491 S Roosevelt Blvd. Key West, FL

*Designated Source of Supply:* Mavagi Enterprises, Inc., San Antonio, TX

*Contracting Activity:* FEDERAL AVIATION ADMINISTRATION, 697DCK REGIONAL ACQUISITIONS SVCS

*Service Type:* Grounds Maintenance

*Mandatory for:* US Army Corps of Engineers, Bonneville Lock and Dam, Interstate 84, Exit 40 Cascade Locks, OR

*Designated Source of Supply:* Relay Resources, Portland, OR

*Contracting Activity:* DEPT OF THE ARMY, W071 ENDIST PORTLAND

*Service Type:* Janitorial/Custodial

*Mandatory for:* Veterans Outreach Center: 2001 Lincoln Way, Oak Park Mall, Null,

White Oak, PA  
*Contracting Activity:* VETERANS AFFAIRS, DEPARTMENT OF, NAC  
*Service Type:* Catering Service  
*Mandatory for:* Seattle Military Entrance Processing Station (MEPS), 4735 E Marginal Way South, Seattle, WA  
*Designated Source of Supply:* Northwest Center, Seattle, WA  
*Contracting Activity:* DEPT OF THE ARMY, W6QM MICC–FT KNOX

**Michael R. Jurkowski,**

*Acting Director, Business Operations.*

[FR Doc. 2022–19525 Filed 9–8–22; 8:45 am]

**BILLING CODE 6353–01–P**

### COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED

#### Procurement List; Additions

**AGENCY:** Committee for Purchase From People Who Are Blind or Severely Disabled.

**ACTION:** Additions to the Procurement List.

**SUMMARY:** This action adds service(s) to the Procurement List that will be furnished by nonprofit agencies employing persons who are blind or have other severe disabilities.

**DATES:** *Date added to and deleted from the Procurement List:* October 9, 2022.

**ADDRESSES:** Committee for Purchase From People Who Are Blind or Severely Disabled, 355 E Street SW, Washington, DC 20024.

**FOR FURTHER INFORMATION CONTACT:** Michael R. Jurkowski, Telephone: (703) 785–6404, or email [CMTEFedReg@AbilityOne.gov](mailto:CMTEFedReg@AbilityOne.gov).

#### SUPPLEMENTARY INFORMATION:

##### Additions

On 617/2022, the Committee for Purchase From People Who Are Blind or Severely Disabled published notice of proposed additions to the Procurement List. This notice is published pursuant to 41 U.S.C. 8503 (a)(2) and 41 CFR 51–2.3.

After consideration of the material presented to it concerning capability of qualified nonprofit agencies to provide the product(s) and service(s) and impact of the additions on the current or most recent contractors, the Committee has determined that the product(s) and service(s) listed below are suitable for procurement by the Federal Government under 41 U.S.C. 8501–8506 and 41 CFR 51–2.4.

#### Regulatory Flexibility Act Certification

I certify that the following action will not have a significant impact on a